GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:2602
ANSWERED ON:14.03.2016
Rights of Mining Workers
Kumar Shri P.

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)whether the Ministry has formulated any policies to protect rights of the mining workers and if so, the details thereof;
(b)the details of legal rights of the aggrieved mining workers which they can use in the case of any eventualities while engaged in mining;
(c)the details of health hazards posed to marble mining workers in the country, and the action taken by the Government to provide safety nets to the marble mining workers; and
(d)the details of action taken by the Government against the erring mining companies for not protecting rights of the mining workers?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) & (b): Mining is considered as hazardous work. To protect the safety and health of workers working in mines, Government of India had enacted the Mines Act, 1952 and rules and regulations made there-under. Adequate provisions for safety and health of persons employed in mines are made in the, Mines Act, 1952; Mines Rules, 1955; Coal Mines Regulations, 1957; Metalliferous Mines Regulations, 1961 and Oil Mines Regulations, 1984. The Mine management is required to comply with such provisions in their mines to ensure safety and health of their workers. Mining workers, in case of eventualities, can use all these rules and regulations to redress their grievances. DGMS, on its part, makes every effort to ensure strict compliance of such provisions by mine management.
(c): Occupational diseases generally reduce longevity of human being. Under Section 25 of the Mines Act, 1952 read with recommendations of 10th Conference on Safety in Mines, the following diseases have been notified as diseases due to mining:
Contd..2/-

1. Silicosis
2. Pneumoconiosis
3. Manganese Poisoning − Nervous type
4. Asbestosis
5. Cancer of lung or the stomach or the pleura and peritoneum (i.e. mesothelioma)
6. Noise Induced Hearing Loss
7. Contact Dermatitis caused by direct contact with chemical
8. Pathological manifestations due to radium or radioactive substances

Adequate provisions for safety and health of persons employed in marble mines are made in the Mines Act, 1952; Mines Rules, 1955; Metalliferous Mines Regulations, 1961. Among these notified diseases, Silicosis is generally more prone to workers working in marble mines. Silicosis, by nature an air-borne dust disease, can affect the marble miners due to their nature of job. To address it, adequate provisions regarding precautions to be taken to control the air-borne dust in marble mines including wet drilling, dust monitoring, provisions of dust mask, dust respirator, personal dust samplers, dust sampling have been made in the Metalliferous Mines Regulations.
The mine management, under the provisions of the Mines Act, 1952 is required to report to DGMS the cases of occupational diseases at their respective mines in a specific pro-forma. The Mine management is required to comply with such provisions in their mines. The compliances of such provisions are checked during the course of inspections and enquiries made by officers of DGMS and suitable measures such as notices, prohibitory orders are issued to ensure the compliance.
(d): DGMS makes every effort to ensure strict compliance of such provisions of the Mines Act, 1952 and rules and regulations made there under by the mine management. To see that the mine management carries out the mining operations in accordance with the legal provisions to ensure safety of mining workers, officers of DGMS make periodic inspections of all types of mines, irrespective of ownership types of the mines. During inspection of mines, if the workings or the environment are found to be unsafe and dangerous from the point of view of safety of workers; violation letters, notices or prohibitory orders are immediately issued to the management to take necessary steps for improvement. Unless the conditions improve for re-deployment of persons as recorded through inspections, the orders are not vacated and persons are not allowed to be deployed in such dangerous conditions. DGMS after proper enquiry also launches prosecutions against the mines which violate the rules and regulations of Mines Act, 1952. The number of inspection/enquiries made during last three years and current year in India is given below:
Contd..3/-

Number of Inspections and Enquiries made by DGMS during 2013-2016*

Year	Inspections				Enquiries			
	Coal	Metal	Oil	Total	Coal	Metal	Oil	Total

2013 4038 3898 329 8265 890 449 60 1399
2014 4664 4694 588 9946 1035 540 111 1686
2015 6047 5889 786 12722 1280 653 36 1969
2016* 464 455 63 982 90 66 8 164
*: provisional (as on 31.01.2016)

The number of improvement notices & prohibitory orders issued by DGMS during last three years and current year is given below:-

Number of Improvement Notices and Prohibitory Orders issued by DGMS during 2013-2016*

Year Coal Mines Non-Coal Mines
Notices Issued Orders Issued Notices Issued Orders Issued
2013 108 42 224 473
2014 127 46 449 670
2015 106 42 88 113
2016* 8 1 15 13
*: provisional (as on 31.01.2016)

The number of prosecution launched by DGMS against the public and private sector companies during last three years and current year is given below:

Number of prosecutions launched by DGMS during 2013-2016*

Year Public Sector Private Sector Total
2013 14 82 96
2014 13 20 33
2015 10 16 26
2016* 0 0 0
*: provisional (as on 31.01.2016)
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